



Submission to the Inquiry into Family Law Amendment (De Facto Financial Matters and other Measures) Bill 2008 from the Let's Get Equal Campaign, South Australia

Australia's laws at both Commonwealth and State levels currently discriminate against same-sex couples and their children in ways which cause great hardship. The extent of discrimination faced by Australian same-sex couples has already been documented by the Human Rights and Equal Opportunity Commission (HREOC). The recent HREOC enquiry revealed that Australian laws actively discriminate against same-sex couples and their children in many ways, including in access to family law.

Gay and lesbian Australians form loving, committed and mutually supportive relationships and these relationships may produce children. If these relationships breakdown, people in same-sex relationships face the same legal, social and emotional difficulties as heterosexual people dealing with the end of a relationship. We believe that disputes arising from the breakdown of same-sex relationships are best dealt with by the Family Court. This will reduce the cost and trauma associated with property and other disputes, and will ensure greater privacy for those involved. We support amendments to the Family Law Act which will provide equal access to the Family Court for same-sex partners and which will help to protect the rights of children in such relationships.

The Let's Get Equal Campaign strongly support the Government's use of the umbrella term 'couple relationship' to describe all the relationships recognised by federal law. This is a simple and easy way for all legally-recognised relationships to be given equal legal entitlements. At the same time we strongly oppose removing marriage from the class of 'couple relationships' because this would mean that all defacto relationships whether they be those of same sex couples of opposite-sex couples would be treated as inferior, second-class relationships. In so doing, it would replace one form of inequality with another rather than seeking to remove inequalities that some Australians suffer before the law.

We strongly believe that the Australian government should act quickly to remove the discrimination that same sex couples face in all areas of their lives. We are not asking for special treatment – we are asking only that we be treated equally as members of the Australian community. We simply ask that legislation in Australia

not entrench discriminatory practices which undermine our relationships and families, devalue us as human beings and as members of society and subject our lives to the prejudices of others. The continuation of discriminatory legislation is to no-one's advantage.

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